

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: OCTOBER 4, 2006**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-14325 - PUBLIC HEARING - APPLICANT: CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES, LLC, ET AL - Request to amend the Downtown Redevelopment Area Land Use Plan FROM: MXU (MIXED USE) TO: C (COMMERCIAL) on 1.33 acres at 700, 708, 712, 714 and 716 South 10th Street and 715 and 717 South 9th Street (APNs 139-34-810-101 through 105, 074 and 075), Ward 5 (Weekly). NOTE: As of August 6, 2006 this item is located in Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (4-3 vote on a motion for approval) failed to obtain a supermajority which is tantamount to DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

3

City Council Meeting

0**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

3

City Council Meeting

11**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (4-3 vote on a motion for approval) failed to obtain a supermajority which is tantamount to DENIAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Submitted at meeting – 11 letters of support by Dave Clapsaddle for Items 88-95
6. Backup referenced from the 09-07-06 Planning Commission Meeting Item 17

Motion made by GARY REESE to Hold in Abeyance Item 88 [GPA-14325], Item 89 [ZON-14338], Item 90 [VAR-14342], Item 91 [VAR-14345], Item 92 [VAR-14347], Item 93 [SUP-14349], Item 94 [VAC-12884] and Item 95 [SDR-14349] to 11/01/2006

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 2

LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN, STEVE WOLFSON)

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Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open for Item 88 [GPA-14325], Item 89 [ZON-14338], Item 90 [VAR-14342], Item 91 [VAR-14345], Item 92 [VAR-14347], Item 93 [SUP-14349], Item 94 [VAC-12884] and Item 95 [SDR-14349].

DAVE CLAPSADDLE, GC Garcia, 1711 Whitney Mesa Drive, appeared on behalf of the applicant together with ARCHITECT JEFF MOSLEY and property owners STEVE GREGORY, GLENDA DESHAW, and ALISA REYNOLDS. He indicated the project is located on Charleston Boulevard, between 9th and 10th Street. The project consists of 18,000 square feet of ground floor retail with 350 condominiums above the retail. There will be no access to Charleston Boulevard. All access will be off of Ninth and Tenth Streets. An issue that came forward at the Planning Commission meeting was the vacation of the alley, and it was agreed not to vacate the north/south alley that is not on their property. There are no landscaping waivers. All the parking will be on a parking garage; six levels with one underground level. There will be no surface parking on the site.

MR. CLAPSADDLE clarified that the reason for the general plan is to unify the land use and not have half the property designated commercial and the other half mixed used. The only portion of the property not C-1 is the three lots on the northeast corner. All recreational amenities will be above the garage, including the pool and dog run. The project meets the parking requirements, but they are asking for a parking variance to free up spaces, according to current Code, to allow a small restaurant or cafe.

MR. CLAPSADDLE indicated that whatever project is built on the property, they still require a residential adjacency variance because some of the lots are still zoned R-1. He believes this project is appropriate because of its frontage along Charleston Boulevard and it is within the redevelopment plan. The redevelopment plan asks for modern, integrated development, which in turn will spur additional redevelopment.

MR. CLAPSADDLE noted that a neighborhood meeting was held and submitted 11 signatures of support from those people who attended the meeting. A letter was also mailed asking for input from the residents. He also canvassed the neighborhood from Eighth Street and Ninth Street to ensure that as many people as possible knew about the project.

TED RUSSELL, Las Vegas resident, appeared in support and stated the project would be an enhancement to that section of the City.

JOE AUSTIN, AUSTIN Family Trust, 529 South 9th Street, stated he met with MR. CLAPSADDLE, who failed to address questions regarding traffic and the need for a parking variance. Parking formulas do not take into account any functions, guests, parties, retail shopping

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and employee parking. This particular area has a substantial amount of residential, professional and medical businesses. Parking is already a problem and curbside parking is not an option. He does not oppose the project, but the applicant should provide additional parking and convenience. The project will force traffic to the north side of Charleston Boulevard.

LARRY HARRISON, 724 South 9th Street, resides across from the project, and stated he is not opposed to the project, but is concerned about the construction process and its negative impact on his business.

CHARLES SORRELLS stated he owns a business at the corner of 10th Street and Garces Avenue. He appeared in support and believes the project will be great for the entire neighborhood, as well as encourage more growth. His business has approximately 10 parking spaces and never full.

TOM McGOWAN, Las Vegas resident, indicated the applicant is well qualified to add to the enhancement of the lifestyle quality and opportunity in downtown with such a commendable project. He asked what is the specific nature of the commercial retail and the affordable price range of the units. He asked that the City Council make a decision in the best interests of the City.

YVETTE ROBICHAUD owns a law firm at 701 South 9th Street and expressed concern about the vacation of the alleyway. MAYOR PRO TEM REESE verified that the alley will not be vacated. She expressed concern about the 17-story high-rise, as it is too intense and overbuilt for the neighborhood. The only structure that is three stories in this area is the FBI building on Charleston Boulevard. She agrees that the area needs to be redeveloped, but asked that it be reasonable commercial use, not a 17-story condominium high-rise. The project will create parking issues for all the business owners on Ninth Street.

ED MILEY and JUDGE STEPHANIE MILEY appeared in opposition. MR. MILEY indicated the proposed project is ill-conceived, ill-designed and badly planned. The applicant is scheduled to be completed within three to five years and has not addressed concerns about the construction hours and noise, which will interfere with the existing attorneys' offices and their clients. He met with the applicant and they conceded they are looking on flipping the property for about seven million dollars. MR. MILEY felt the applicant is a land speculator. Since the property has been taken over crime has increased and the parcel has become an attractive and dangerous nuisance. In addition, homeless are migrating there. The applicant should have a security guard to ensure that no vagrants use the empty property.

GEORGE BOCHANIS, 631 South Ninth Street, appeared in opposition and stated he has owned his law office at this location for the last 14 years. He is concerned with the incompatibility of a

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17-story office/retail/condo project. His office building does not need any revitalization, as he has invested a lot in the building. He has 16 employees and there is always a need for additional parking. His clients, project tenants and visitors are not going to want to park in a 6-story parking structure when they can park on the street. The applicant is attempting to overbuild the site and this type of development is incompatible and inconsistent with this particular area. MR. BOCHANIS pointed out he does not object to office or retail, but he does not support a 17-story high-rise. He questioned the viability of the project and expressed concern about the proposed high-rise projects.

MAYOR PRO TEM REESE expressed concerns with the construction's timeline and the representation that the neighbors were in support. He requested to hold all the applications in abeyance for 30 days in order to meet with those people who spoke today, discuss the construction process, and its affect on the adjacent businesses. He understands the concern about the project's density and parking. There are many similar applications coming forward, but they should not negatively impact the surrounding neighborhoods.

MR. CLAPSADDLE agreed to the abeyance and confirmed he would meet with MAYOR PRO TEM REESE to discuss the traffic study and speak with the neighbors as well.

COUNCILMAN BROWN recalled when the lawyers began to move into this residential area and when the residents were quite concerned about the traffic impact and commercialization. What has developed has been outstanding with beautiful streetscapes. Now the next transition is from professional to vertical residential and vertical mixed use. He would like to participate in meeting with the applicant and neighboring business owners, as one story office is no longer viable. These proposals are becoming very common and more input from the development community, the professional community and residents would help the City Council make better policy decisions.

MAYOR PRO TEM REESE commented he would set up a neighborhood meeting to obtain input from the residents and work with the applicant to ensure this project is completed. Additionally, he asked the applicant ensure that those areas that are dangerous and blighted are addressed as soon as possible.

MARGO WHEELER, Director of Planning and Development Department, announced that Planning staff is completing the mixed use ordinance, which includes corridor studies. They are in the final stages of getting comments from the industry, especially NAIOP (National Association of Industrial and Office Properties) and that ordinance will come before the City Council within 30 days. Staff will be happy to make that draft available, as this area is one that is being addressed.

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